



**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE, Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application No.	09/778,678
Filing Date	February 7, 2001
First Named Inventor	Robb R. Gardner et al.
Art Unit	1771
Examiner Name	L. Salvatore
Attorney Docket No.	7970M

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form.**  
Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Donald E. Hasse	Registration No. (Attorney/Agent)	29,387
Signature	<i>Donald E. Hasse</i>	Date	June 16, 2004

06/18/2004 JBALINAN 00000090 09778678

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770.00 0P

Created 02/2003  
(PTO/SB/30 05/03)

# FEE TRANSMITTAL

(Patent Fees are subject to annual revision)

☐ Applicant claims small entity status. (See 37 CFR 1.27)

TOTAL AMOUNT OF PAYMENT

\$770.00

## Complete if Known

Application Number	09/778,678
Filing Date	February 7, 2001
First Named Inventor	Robb R. GARDNER et al.
Examiner Name	L. Salvatore
Group Art Unit	1771
Attorney Docket No.	7970M

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number

Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee Description	Fee Paid
1001	2001		Utility filing fee	.00
1002	2002		Design filing fee	.00
1003	2003		Plant filing fee	.00
1004	2004		Reissue filing fee	.00
1005	2005		Provisional filing fee	.00
Subtotal (1)				(\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from Below	Fee Paid
Independent Claims	- 20** =	X	.00
Multiple Claims	- 20** =	X	.00

Large Entity	Small Entity	Fee Code	Fee Description	Fee Paid
1202	2202		Claims in excess of 20	
1201	2201		Independent claims in excess of 3	
1203	2203		Multiple dependent claim, if not paid	
1204	2204		**Reissue independent claims over original patent	
1205	2205		**Reissue claims in excess of 20 and over original patent	
Subtotal (2)				(\$ 0.00)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee Description	Paid
1051	2051		Surcharge - late filing fee or oath	<input type="checkbox"/>
1052	2052		Surcharge - late provisional filing fee or cover sheet	<input type="checkbox"/>
1053	1053		Non-English specification	<input type="checkbox"/>
1812	1812		Filing a request for ex parte reexamination	<input type="checkbox"/>
1804	1804		Requesting publication of SIR prior to Examiner action	<input type="checkbox"/>
1251	2251		Extension for reply within first month	<input type="checkbox"/>
1252	2252		Extension for reply within second month	<input type="checkbox"/>
1253	2253		Extension for reply within third month	<input type="checkbox"/>
1254	2254		Extension for reply within fourth month	<input type="checkbox"/>
1255	2255		Extension for reply within fifth month	<input type="checkbox"/>
1401	2401		Notice of Appeal	<input type="checkbox"/>
1402	2402		Filing a brief in support of an appeal	<input type="checkbox"/>
1403	2403		Request for oral hearing	<input type="checkbox"/>
1451	1451		Petition to Institute a public use proceeding	<input type="checkbox"/>
1452	2452		Petition to revive - unavoidable	<input type="checkbox"/>
1453	2453		Petition to revive - unintentional	<input type="checkbox"/>
1501	2501		Utility issue fee (or reissue)	<input type="checkbox"/>
1502	2502		Design issue fee	<input type="checkbox"/>
1503	2503		Plant issue fee	<input type="checkbox"/>
1460	1460		Petitions to the Commissioner	<input type="checkbox"/>
1807	1807		Processing fee under 37 CFR 1.17(q)	<input type="checkbox"/>
1806	1806		Submission of Inform. Disc. Statement	<input type="checkbox"/>
8021	8021		Recording each patent assignment	<input type="checkbox"/>
1809	2809		Filing a submission after final rejection (37 CFR 1.129(b))	<input type="checkbox"/>
1801	2801		Request for Continued Examination (RCE)	770
1802	1802		Request for expedited examination of a design application	<input type="checkbox"/>

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

Subtotal (3) (\$ 770.00)

## SUBMITTED BY

Name (print/type)	Donald E. Hasse	Registration No.	29,387	Telephone	513-229-0383
Signature	<i>Donald E. Hasse</i>			Date	June 16, 2004

## Complete (if applicable)

Created 2/2003  
PTO/SB/17 (01-03)